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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PSs - School Education - Departmental proceedings initiated against Sri G.L.Nagabhushanam, Principal [Retd.], who expired on 13.12.2022 - Further action abated & release of all pensionary benefits to his legal heirs under rule 9[8] of AP Revised Pension Rules, 1980 subject to recovery of any loss caused to Govt., as per Rule 9[7] of AP Revised Pension Rules, 1980 - Orders - Issued.

SCHOOL EDUCATION [VIG] DEPARTMENT

G.O. Ms.No.41 **Dated:09.05.2023**

Read the following:-

1. Proceedings Rc.No.Ser.I-1/214/2014, dt.20.05.2015 of the Commissioner of Intermediate Education.
2. Written Statement of Defence dt.12.06.2015 of Sri G.L. Nagabhushanam, Principal worked as RIO, Chittor now retired.
3. Proceedings Rc.No.Ser.I-1/214/2014, dt.02.11.2015 of the Commissioner of Intermediate Education.
4. Enquiry Report Rc.No.2152/C1/20146, dt.02.03.2017 of the RJDIE, Guntur.
5. Proceedings Rc.No.EHE05-11028/42/2020-Ser-IE, Dt:26.11.2020 of the Commissioner of Intermediate Education.
6. Govt Memo No. 4537761/SE:Vig.I(3)/2021 , dt.12.05.2021.
7. The Hon'ble High Court Judgement, dated:26.09.2022 in W.P.No.3347 of 2022.
8. e-file Computer No.1279865, dt:14.10.2022 of the Commissioner of Intermediate Education.
9. Representation dt.Nil of Smt. G.Gayatri Devi, W/o Sri G.L Nagabhushanam, Principal (Retd.) & the then RIO, Tirupathi.

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Whereas, in the reference 1st read above, the following Articles of Charge have been framed against Sri G.L.Nagabhushanam, Principal[Retd] worked as RIO, Tirupathi, under APCS[CCA]Rules 1991.

CHARGE-I

"That the said Sri G.L.Nagabhushanam, formerly Principal, presently working as RIO Tirupati, Chittoor District, has violated the Rules and regulations and implemented the individual decisions without obtaining the permission from the Board which is highly irregular. Thus the action of the RIO is contrary to Rule 3 (1) (3) of conduct rules and attract deterrent action as he is negligent and acted in an irresponsible way towards his legitimate duties, and sense of propriety and is unbecoming on his part of official position."

CHARGE - II:

"That the said Sri G.L.Nagabhushanam, formerly principal, presently working as RIO, Tirupati, Chittor District has violated the instructions issued

by the Secretary, Board of intermediate Education in the hand book of instructions for conducting Intermediate Public Examinations 04 (four) flying squads are allowed where there are over and above 60 Examination Centres in the District, in addition to the District Examination Committee (DEC) and High Power Committee (HPC).

But the Regional Inspecting Officer, BIE, Tirupati, has engaged and provided 03 (three) vehicles for 03(three) flying squads, DEC & HPC, even though there were 147 examination centres, it caused more inconvenience to the members for travelling and he failed to provide separate vehicles to DEC & HPC, more over he claimed bills for 04 (four) vehicles instead of 03(three) vehicles which is highly irregular. Thus the action of RIO is contrary to Rule 3 (1) & (3) of and attracts deterrent action as he is negligent and acted in an irresponsible way towards his legitimate duties, and sense of propriety and is unbecoming on his part of official position.

2. Whereas, in the reference 2nd read above, the Charged Officer Sri G.L. Nagabhushanam, Principal (Retd.) & the then RIO, Tirupati, has submitted his statement of defence and he has denied the charges framed against him.

3. Whereas, in the reference 3rd read above, after examining the defence statement of Sri G.L.Nagabhushanam, Principal (Retd.) & the then RIO, Tirupati, the CIE appointed the RJDIE, Guntur as Inquiry Officer. In the reference 4th read above, the RJDIE, Guntur & Inquiry Officer submitted his enquiry report and stated that the charges framed against the Charged Officer held not proved.

4. Whereas, in the reference 5th read above, being the competent authority the CIE has noticed disagreement factors in the enquiry report and decided to conduct further enquiry under Rule 20 of APCS (CCA) Rules 1991, accordingly, the CIE appointed RJDIE, Guntur as inquiry officer to inquire into the charges famed against Sri G.L.Naga Bhushanam, Principal [Retd].

5. Aggrieved to the above, the Charged Officer filed W.P No No.3347/2022 seeking directions to set aside procgs dt:26.11.2020 of the CIE. The Hon'ble High Court in its Judgment, dated:26.09.2022 in W.P.No.3347 of 2022 , has ordered as extracted below:-

"Accordingly, the impugned proceedings in Rc.No.EHE05-11028/42/2020-Ser.IE, Dt:26.11.2020 issued by 2nd respondent are hereby set aside. Further, 1st respondent is directed to conclude the disciplinary proceedings in Rc.No.2152/C1/2016, dt:02.03.2017 of the 2nd respondent, by giving opportunity to the petitioner and pass appropriate orders, in accordance with law. Further, the respondents are also directed to release all the retiral benefits to the petitioner as per his entitlement. The entire exercise shall be completed within a period of six (06) weeks from the date of receipt of a copy of this order."

6. The Commissioner of Intermediate Education in the reference 8th read above, while forwarding the orders of the Hon'ble High Court, has requested the Government for further instructions in the matter.

7. In the reference 9th read above, Smt. G.Gayatri Devi, W/o Sri G.L. Nagabhushanam, Principal (Retd.) & the then RIO, Tirupati, has stated that her husband Sri G.L.Nagabhushanam was expired on 13.12.2022, in SVRR GG Hospital, Tirupati and requested to settle all pension benefits of her husband to her.

8. Government, after careful examination of the matter, keeping in view of the Hon'ble High Court directions i.e, to conclude the case as per enquiry report dt.02.03.2017 and also the charged officer was expired on 13.12.2022, have decided to abate the further action against Sri G.L.Nagabhushanam, Principal [Retd.], who expired & to release all pensionary benefits to his legal heirs under rule 9[8] of AP Revised Pension Rules, 1980 subject to recovery of any loss caused to Govt., as per Rule 9[7] of AP Revised Pension Rules, 1980 and also no other disciplinary cases pending against him.

9. The Commissioner of Intermediate Education shall take further necessary action, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Intermediate Education [with a request to serve the Copy of this order to the Smt. G.Gayatri Devi, W/o Sri G.L.Nagabhushanam, Principal (Retd.) & the then RIO, Tirupathi who expired]
Copy to:
The A.G, AP, Vijayawada
The PAO, AP, Vijayawada

//FORWARDED BY ORDER//

SECTION OFFICER